

Message Text

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C O N F I D E N T I A L SECTION 1 OF 3 KINSHASA 0443

E.O. 11652: GDS
TAGS: SHUM, CG
SUBJECT: HUMAN RIGHTS ACTION PLAN FOR ZAIRE

REF: A) STATE 004761; B) 77 STATE 144199

1. MISSION PROPOSES FOLLOWING HUMAN RIGHTS ACTION PLAN FOR
ZAIRE IN RESPONSE TO REFTEL A.

2. I. COUNTRY OVERVIEW-ENVIRONMENTAL DISCUSSION.

A. POLITICAL-AFTER BECOMING INDEPENDENT IN 1960, ZAIRE
EXPERIENCED ALMOST SEVEN YEARS OF CIVIL WAR OR SEMI-ANARCHY.
PRESIDENT MOBUTU'S MAIN TASK, AND HIS CONTRIBUTION TO ZAIRE,
HAS BEEN TO ESTABLISH THE AUTHORITY OF THE CENTRAL GOVERNMENT
OVER A VAST COUNTRY WITH OVER 200 SEPARATE TRIBES. THE
ZAIRIAN GOVERNMENT IS CENTRALIZED AND PERSONAL; IT DOES NOT
REALLY PRESENT ITSELF AS DEMOCRATIC IN A WESTERN SENSE. IT
CLAIMS LEGITIMACY ON THE GROUNDS THAT IT FULFILLS A HISTORIC
ROLE AS THE CREATOR OF THE ZAIRIAN NATION AND THE SINGLE-PARTY
REPRESENTATIVE OF A ZAIRIAN PEOPLE IN THE PROCESS OF FORMATION. IT
DOES NOT, THEREFORE, RECOGNIZE THE LEGITIMACY OF OPPOSING
POLITICAL VIEWS AND WILL USE THE POLICE POWER OF THE STATE TO
CONTROL DIVERGENT POLITICAL OPINIONS WHEN IT FEELS ITSELF
THREATENED. ON THE OTHER HAND, THE ZAIRIAN GOVERNMENT IS NOT
A MALEVOLENT GOVERNMENT; IT DOES NOT PURSUE AN ACTIVE COORDINATED
POLICY OF OPPRESSION OF ITS CITIZENS.
ALTHOUGH CENTRALIZED, THE ZAIRIAN GOVERNMENT IS ALSO WEAK AND
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INEFFICIENT. THE GREATEST AND MOST OBVIOUS SHORTAGE IN ZAIRE IS
THAT OF QUALIFIED PERSONNEL, AND THE GOVERNMENT IS NO EXCEPTION.
THE CIVIL INSTITUTIONS, INCLUDING THE ARMY AND THE POLICE, ARE
INADEQUATELY TRAINED, MOTIVATED, DISCIPLINED AND PAID. THEY ARE
UNRELIABLE INSTRUMENTS OF THE LEADERSHIP AND CONSISTENTLY
INDULGE IN THE ABUSE OF POWER WHICH IS TYPICAL OF UNDEVELOPED
POLITICAL SOCIETIES.

IN THE WAKE OF THE SHABA INVASION LAST YEAR, WHICH REVEALED ZAIRE'S MILITARY AND POLITICAL FRAGILITY, MOBUTU LAUNCHED A SERIES OF REFORMS WHICH INCLUDED MILITARY REORGANIZATION AND REASONABLY COMPETITIVE ELECTIONS FOR THE BOROUGH COUNCILS, THE LEGISLATIVE COUNCIL AND THE POLITICAL BUREAU.

B. SOCIO-ECONOMIC-BEGINNING IN 1972-1973 THE GOZ LAUNCHED AN AMBITIOUS PROGRAM OF CAPITAL INVESTMENT CONCENTRATED ON LARGE CAPITAL PROJECTS AND BASED ON AN EXTREMELY HIGH LEVEL OF COPPER EXPORT RECEIPTS. THE PROGRAM TURNED OUT TO HAVE BEEN A SERIOUS MISTAKE, BOTH IN RESPECT TO THE WORTH OF A NUMBER OF THE PROJECTS INITIATED AND THE ASSUMPTIONS ABOUT THE COUNTRY'S ABILITY TO FINANCE THEM. IN ADDITION, THE GOVERNMENT LAUNCHED AN ILL-CONCEIVED AND POORLY IMPLEMENTED NATIONALIZATION PROGRAM. THE NATIONALIZATION MEASURES HARMED THE PROPERTY RIGHTS AND GENERALLY USEFUL ROLE OF NON-ZAIRIAN RESIDENTS OF ZAIRE. THESE ILL-TIMED EFFORTS, COMBINED WITH ADVERSE WORLD ECONOMIC DEVELOPMENTS AND THE CLOSURE OF THE BENGUELA RAILROAD IN ANGOLA, DAMAGED THE ZAIRIAN ECONOMY AND THE WELL-BEING ON THE VAST MAJORITY OF THE POPULATION. THE CONCENTRATION ON INDUSTRY LED TO A SERIOUS NEGLECT OF THE AGRICULTURAL SECTOR WHERE OVER 70 PERCENT OF THE POPULATION LIVE AND DERIVE THEIR SUSTENANCE.

AT THE SAME TIME, THE GOVERNMENT INITIATED A PROGRAM OF SCHOOL REFORM, ENTAILING A COMPLETE GOVERNMENT TAKE-OVER OF ALL EDUCATIONAL INSTITUTIONS IN THE COUNTRY (HITHERTO LARGELY CHURCH AND MISSIONARY RUN). THIS PROGRAM TOO RAN INTO SERIOUS PROBLEMS AND RESULTED IN SIGNIFICANTLY LESS ACCESS TO EDUCATIONSL
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OPPORTUNITIES FOR MANY.

IN ADDITION TO THESE FORMAL PROGRAMS, THE EVIDENCE OF HIGH-LEVEL PROFITEERING AND CORRUPTION INCREASED NOTICEABLY DURING THESE YEARS. THE CORRUPTION INVOLVED THE HIGHEST LEVELS OF GOVERNMENT AND RESULTED IN THE DIVERSION OF SIGNIFICANT RESOURCES TOWARDS THE NATION'S ELITE AND AWAY FROM THE MAJORITY OF THE POPULATION. THE RURAL POPULATION SUFFERED THE MOST FROM THIS ABUSE

PRESIDENT MOBUTU IS A PRAGMATIC POLITICIAN WHO IS ABLE TO LEARN FROM HIS MISTAKES. BEGINNING IN 1976, HE SET ABOUT UNDOING SOME OF THE DAMAGE: RETURNING PROPERTIES AS AN INDUCEMENT TO EXPATRIATES TO RETURN TO ZAIRE; MAKING HIS PEACE WITH THE CHURCH; RETURNING CONTROL OF BASIC EDUCATION TO THE MISSIONARIES; AND BEGINNING A PROGRAM OF ECONOMIC REFORM WITH FAR-REACHING IMPLICATIONS FOR REDUCING PERSONALISM AND CORRUPTION IN MANAGEMENT OF THE ECONOMY. IN EARLY 1976, THE GOVERNMENT ACCEPTED AND INTERNATIONAL MONETARY FUND STABILIZATION PROGRAM WHICH, HOWEVER, WAS ONLY PARTIALLY SUCCESSFUL. IN EARLY 1977 THE GOZ COMMITTED ITSELF TO A MORE SEVERE IMF STABILIZATION PROGRAM AND ACCEPTED A NEW SET OF DEVELOPMENT AND MANAGEMENT PRIORITIES INTENDED TO SHIFT GOVERNMENT EFFORT AND NATIONAL RESOURCES TOWARDS THE AGRICULTURAL SECTOR AND RURAL POOR. THIS WAS ONLY

PARTIALLY SUCCESSFUL, BUT FORMAL AGREEMENT ON A NEW IMF PROGRAM IS EXPECTED IN THE NEXT SEVERAL MONTHS.

C. OVERALL HUMAN RIGHTS RECORD- THE PRINCIPLE OF INTEGRITY OF THE PERSON IS VIOLATED IN PRACTICE NOT SO MUCH AS A MATTER OF GOVERNMENT POLICY AS BECAUSE THE GOVERNMENT IS TOO WEAK TO CONTROL THE OFTEN ARBITRARY ACTIONS OF INDIVIDUAL SOLDIERS, POLICEMEN AND OFFICIALS.

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THE RIGHT TO FULFILLMENT OF SUCH VITAL NEEDS AS FOOD, SHELTER, HEALTH CARE AND EDUCATION WAS SERIOUSLY IMPAIRED BY THE GOZ'S ECONOMIC POLICY ERRORS WHICH AS DISCUSSED ABOVE, HAVE NOW BEEN ALTERED.

THE RIGHT TO ENJOY CIVIL AND POLITICAL LIBERTIES IS GENERALLY MORE HONORED IN THE BREACH THAN IN THE OBSERVANCE, ALTHOUGH THE ZAIRIAN GOVERNMENT IS GENERALLY FAIRLY RELAXED AS LONG AS POLITICAL COMMENT AND ACTIVITY ARE NOT OVERTLY ANTI-GOVERNMENT. THE EXTENT TO WHICH ZAIRIANS WILL CRITICIZE MOBUTU TO FOREIGNERS CONTRASTS SHARPLY WITH THE ATMOSPHERE IN TRULY REPRESSIVE REGIMES, RESTRICTIONS ON FREEDOM OF THOUGHT AND TRAVEL ARE MINIMAL, BUT POLITICAL PARTICIPATION IS LIMITED TO THE REGIME'S SINGLE POLITICAL PARTY.

ZAIRE'S MAJOR DOMESTIC PROBLEM AREAS INCLUDE AN ECONOMIC CRISIS WHICH APPEARS LIKELY TO PERSIST AT LEAST INTO 1979, FRAGILE POLITICAL INSTITUTIONS ENJOYING LITTLE POPULAR SUPPORT, AND AN INEFFECTUAL ARMY. THE REFORMS RECENTLY LAUNCHED BY MOBUTU ARE DESIGNED TO GRAPPLE WITH THESE DOMESTIC PROBLEMS. ZAIRE'S MAJOR FOREIGN AFFAIRS PROBLEM AREA CONCERNS HER INABILITY THUS FAR TO NORMALIZE RELATIONS WITH NEIGHBORING ANGOLA, DESPITE SEVERAL ATTEMPTS BY MOBUTU TO EXTEND THE OLIVE BRANCH.

II. MAJOR US INTERESTS-GOALS AND OBJECTIVES

A. ECONOMIC RECOVERY, REFORM AND BALANCED DEVELOPMENT. WE PROVIDE BALANCE OF PAYMENTS RELIEF TO AID GOZ IMPLEMENTATION

OF THE IMF STABILIZATION PLAN, AND INTEND TO SHIFT AWAY FROM
SUPPORTING ASSISTANCE TO DEVELOPMENT ASSISTANCE AS CONDITIONS
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PERMIT. WE SEEK TO COORDINATE OUR ASSISTANCE PROGRAM CLOSELY
WITH THOSE OF OTHER DONOR GOVERNMENTS AND INSTITUTIONS, AND TO
ENCOURAGE AND ASSIST MORE BALANCED ECONOMIC DEVELOPMENT BY
FOCUSING ON AGRICULTURE AND THE RURAL POOR. WE HAVE MADE SOME
PROGRESS, BUT MUCH REMAINS TO BE DONE.

B. POLITICAL LIBERALIZATION AND STABILITY. WE SEEK TO
ENCOURAGE THE GENUINE IMPLEMENTATION OF THE POLITICAL LIBERAL-
IZATION MEASURES PROPOSED BY MOBUTU IN JULY 1977, IN ORDER TO
PROMOTE BOTH GREATER HONESTY IN GOVERNMENT AND POLITICAL
STABILITY UNDER CONDITIONS WHICH RESPECT INTEREST GROUPS,
EQUITABLE SOCIAL DEVELOPMENT AND HUMAN RIGHTS. WHILE NOT WITHOUT
DEFICIENCIES, THE ELECTIONS HELD LAST OCTOBER WERE AN ENCOURAGING
SIGN OF PROGRESS IN THIS DIRECTION.

C. ZAIRIAN MILITARY REORGANIZATION AND REFORM.
WE SUPPORT GOZ REORGANIZATION EFFORTS THROUGH FMS AND IMET,
WITH AN EMPHASIS ON A SMALLER NUMBER OF BETTER TRAINED AND
DISCIPLINED FORCES USING NON-SOPHISTICATED EQUIPMENT. WE
COORDINATE CLOSELY WITH ZAIRE'S MAJOR DONORS OF MILITARY
ASSISTANCE, FRANCE AND BELGIUM, AND CRITICALLY REVIEW ZAIRIAN
REQUESTS FOR US MILITARY ASSISTANCE IN LIGHT OF ITS LEGITIMATE
DEFENSE NEEDS, ABSORPTIVE CAPACITY, AND DEBT SERVICE CONSTRAINTS.
THE ZAIRIAN MILITARY HAS MADE CONSIDERABLE PROGRESS TOWARD
REFORM SINCE THE SHABA INVASION IN MARCH 1977.

D. CREATION OF GREATER AWARENESS BY MOBUTU AS TO THE CLOSE
LINK BETWEEN HIS PERFORMANCE IN IMPLEMENTING ABOVE REFORMS AND
PROMOTING HUMAN RIGHTS, AND OUR ABILITY TO ASSIST ZAIRE ECON-
OMICALLY AND MILITARILY.
AS A RESULT BOTH OF THE AMBASSADOR'S DIALOGUE WITH MOBUTU AND
OF REPORTING IN ZAIRIAN DIPLOMATIC CHANNELS FROM WASHINGTON,
MOBUTU HAS BECOME FAR MORE AWARE OF THIS LINK THAN WAS THE CASE
A YEAR AGO.

EM CLOSER IDENTIFICATION OF US POLICIES AND PROGRAMS
WITH GOALS AND NEEDS OF ZAIRIAN PEOPLE, MAKING EFFECTIVE USE
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OF PUBLIC DIPLOMACY FOR THIS PURPOSE.
WE WILL CONTINUE TO INCREASE OUR CONTACTS ALONG THE FULL SPECTRUM
OF ZAIRIAN SOCIETY AND TARGET EXCHANGE PROGRAMS INCREASINGLY
ON THE EMERGING ELITES AND POTENTIAL LEADERS RATHER THAN ON THE
CURRENT LEADERSHIP. RELATIVE TO THE SITUATION OF A YEAR AGO,
WE HAVE MADE SUBSTANTIAL HEADWAY IN SHEDDING THE IMAGE OF BEING
MORE CONCERNED ABOUT MOBUTU'S WELFARE THAN THAT OF THE PEOPLE.

F. IMPROVED BILATERAL COOPERATION ON GLOBAL ISSUES.

WE SEEK TO ACHIEVE AN INCREASE IN ALREADY SUBSTANTIAL GOZ SUPPORT IN SUCH CRITICAL AREAS AS SOUTHERN AFRICA, NORTH/SOUTH ISSUES, AND THIRD WORLD PROBLEMS IN GENERAL, AND TO ENCOURAGE NORMALIZATION OF ZAIRIAN/ANGOLAN RELATIONS. WE MUST ALSO CONTINUE TRYING TO PERSUADE MOBUTU THAT OUR CURRENT EFFORTS TO BROADEN RELATIONS WITH PROGRESSIVE GOVERNMENTS IN AFRICA WILL NOT BE AT THE EXPENSE OF RELATIONS WITH OUR MODERATE FRIENDS.

III. HUMAN RIGHTS

A. OBJECTIVES

(1) RIGHT TO BE FREE FROM GOVERNMENTAL VIOLATION OF THE INTEGRITY OF THE PERSON: ENCOURAGE (A) REORGANIZATION AND BETTER TRAINING OF THE ZAIRIAN ARMY AND POLICE, IN ORDER TO REDUCE THEIR ABUSE OF CIVILIANS, AND (B) JUDICIAL AND PENAL REFORM.

(2) RIGHT TO FULFILLMENT OF SUCH VITAL NEEDS AS FOOD, SHELTER, HEALTH CARE AND EDUCATION: (A) ENCOURAGE AND FACILITATE A SHIFT IN THE GOZ'S ECONOMIC PROGRAMS AND POLICIES TOWARD GREATER FOCUS ON THE MAJORITY OF POPULATION, PARTICULARLY RURAL POOR; (B) IMPROVE CONDITIONS OF REFUGEES; (C) ACHIEVE GREATER EFFICIENCY AND HONESTY IN GOVERNMENT.

(3) RIGHT TO ENJOY CIVIL AND POLITICAL LIBERTIES; ENCOURAGE CONTINUED PROGRESS ON POLITICAL REFORMS LAUNCHED BY MOBUTU LAST JULY.

NOTE: WITH THE POSSIBLE EXCEPTION OF REFUGEES, NONE OF THESE OBJECTIVES LENDS ITSELF TO SIGNIFICANT SHORT TERM CHANGE. WE PROPOSE TO CONTINUE PLACING PRIMARY EMPHASIS ON REFORMS IN THE ECONOMIC AND MILITARY AREAS--WHERE OUR LEVERAGE IN THE FORM OF ASSISTANCE PROGRAMS IS GREATEST--ON THE ASSUMPTION THAT
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MAJOR PROGRESS IN OTHER AREAS IS CONTINGENT UPON THEIR SUCCESS.

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B. SCENARIO, STEPS AND BENCHMARKS:

(1) WITH REGARD TO OVERALL GOZ PERFORMANCE ON HUMAN RIGHTS, TWO POSITIVE STEPS ARE APPROPRIATE:
--THE AMBASSADOR WILL KEEP MOBUTU INFORMED OF OUR HUMAN RIGHTS OBJECTIVES AND OF THE SIGNIFICANCE THAT GOZ PERFORMANCE IN THIS AREA WILL HAVE IN INFLUENCING FUTURE US-ZAIREIAN RELATIONS;
--WE WILL ATTEMPT TO USE VISITS BY HIGH-LEVEL US OFFICIALS TO ZAIRE, AND THOSE BY GOZ EMISSARIES TO WASHINGTON (INCLUDING THE POSSIBILITY OF AN EVENTUAL MOBUTU VISIT) AS INDUCEMENTS TO IMPROVED PERFORMANCE.

(2) OBJECTIVE ONE: INTEGRITY OF THE PERSON:

(A) ARMED FORCES:

POSTITIVE STEPS:

-MAINTAIN FMS AND IMET AT ADEQUATE LEVELS;
-STRENGTHEN COOPERATION WITH FRENCH AND BELGIANS AND, AS APPROPRIATE, WITH OTHER DONOR NATIONS.
NEGATIVE STEPS: REDUCTIONS (PRECEDED BY WARNINGS) IN FMS AND/OR IMET.

BENCHMARKS: DEGREE OF FAZ PROGRESS IN IMPROVING QUALITY AND DISCIPLINE OF ARMED FORCES/GENDARMERIE, IN PART THROUGH FRENCH AND BELGIAN TRAINING OF NEW UNITS.

(B) JUDICIAL

POSITIVE STEPS:

-EXPAND EMBASSY CONTACTS WITH KEY GOZ PERSONNEL CONCERNED WITH JUDICIAL REFORM;
-SELECT APPROPRIATE INDIVIDUALS FOR IV GRANTS.
-EXPLORE MEANS TO ASSIST GOZ IN IMPROVING CONDITIONS AT PENAL
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INSTITUTIONS INCLUDING POSSIBILITY OF PROVIDING PL 480 FOOD AID.

NEGATIVE STEPS: EXPRESS CRITICISM OF LACK OF PROGRESS TO GOZ OFFICIALS.

BENCHMARKS: DEGREE OF CHANGE IN ARBITRARY ARRESTS, DETENTION WITHOUT TRIAL, AND PRISON CONDITIONS.

(3) OBJECTIVE TWO: VITAL NEEDS

(A) ZIARIAN POPULATION

POSITIVE STEPS:

-CONTINUE TO SUPPORT AND URGE GOZ ADHERENCE TO IMF STABILIZATION PROGRAM.
-WORK WITHIN CONSULTATIVE GROUP TO INFLUENCE GOZ DEVELOPMENT PRIORITIES.,
-BEGIN TO SHIFT US AID FROM SECURITY/SUPPORTING ASSISTANCE (SSA) TO DEVELOPMENT ASSISTANCE, CLOSELY FOLLOWING THE CONGRESSIONAL MANDATE, WITH EMPHASIS ON FOOD PRODUCTION, LOW COST INTEGRATED HEALTH DELIVERY SYSTEMS, ENDEMIC DISEASE CONTROL, AND TRAINING IN KEY DEVELOPMENT-RELATED SKILLS. MAKE GREATER EFFORT TO DESIGN

AND IMPLEMENT PROJECTS THAT IMPACT MOST DIRECTLY ON THE MOST DISADVANTAGED ELEMENTS OF THE SOCIETY.

-INCLUDE IN NEW PL 480 SALES AGREEMENTS LANGUAGE REQUIRING USE OF COUNTERPART FUNDS IN SUPPORT OF DEVELOPMENT EFFORTS ABOVE.

-MONITOR CLOSELY AND ASSIST AS FEASIBLE GOZ IMPLEMENTATION OF PL 480 COMMODITY SALES TO ASSURE PROGRAM'S OBJECTIVES ARE MET.

-IMPLEMENT PROVISIONS OF PL 480 TITLE III.

NEGATIVE STEPS:

-REDUCE/ELIMINATE SSA AID AND RATES OF DISBURSEMENT.

-ABSTAIN ON INTERNATIONAL FINANCIAL INSTITUTION LOANS.

-WITHHOLD PL 480 TITLE I IF GOZ NOT WILLING TO ASSURE THAT COUNTERPART GENERATIONS GO FOR DEVELOPMENT PURPOSES WITH EMPHASIS ON POOR.

-WITHHOLD IMPLEMENTATION OF PL 480 TITLE III.

BENCHMARKS:

-GOZ PERFORMANCE ON IMF STABILIZATION PLAN, AS MEASURED BY CONFIDENTIAL

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ELIGIBILITY TO DRAW SUCCESSIVE CREDIT TRANCHES.

-EXTENT OF GOZ EFFORTS TO INCREASE RATE OF REPATRIATION OF HARD CURRENCY EARNINGS.

-CHANGE IN PERCENTAGE OF GOZ RESOURCES ALLOCATED TO RURAL SECTOR.

-GOZ PERFORMANCE ON PL 480 (PRICING, DISTRIBUTION AND END USE).

(B) REFUGEES

POSITIVE STEPS:

-CONTINUE TO WORK WITH UNHCR AND IRC TO IMPROVE CONDITIONS OF REFUGEES.

-CONSIDER PROVISION OF PL 480 TITLE II AND COUNTERPART FUNDS.

NEGATIVE STEPS: EXPRESS CRITICISM TO GOZ OFFICIALS.

BENCHMARKS: EXTENT OF GOZ COOPERATION.

(4). OBJECTIVE THREE: CIVIL AND POLITICAL LIBERTIES

POSITIVE STEPS: SHOW GREATER SUPPORT FOR AND ENCOURAGE INCREASED AUTONOMY OF WHICH CAN CONTRIBUTE TO A TREND TOWARD INCREASED DEMOCRATIZATION: E.G. THE LEGISLATIVE COUNCIL (LEGCO), NATIONAL TRADE UNION (UNTZA), CHURCHES AND UNIVERSITIES. THIS CAN BE ACCOMPLISHED THROUGH EXPANDED EMBASSY CONTACTS, DISCUSSIONS WITH GOZ LEADERS, IV GRANTS, VISITS BY US SPECIALISTS AND COUNTERPARTS, AND SELECTIVE USE OF OTHER ELEMENTS OF PUBLIC DIPLOMACY.

NEGATIVE STEPS:

-EXPRESS CRITICISM OF ANY DETERIORATING TRENDS TO PRESIDENT AND HIS CLOSE ASSOCIATES.

-INFLUENCE GOZ ACTIONS THROUGH THE JUDICIOUS USE OF PUBLIC DIPLOMACY TO EXPOSE AND CRITICIZE ANY GROSS VIOLATIONS OF THESE RIGHTS.

BENCHMARKS:

-GOZ'S DEGREE OF TOLERATION OF EXPANDED ROLE OF INSTITUTIONS ABOVE.

-DEGREE OF GOZ INTERVENTION IN UPCOMING UNTZA ELECTIONS.

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